

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:      LOWLES, Robert, J.  
Serial No.:                10/787,173  
Filed:                      February 27, 2004  
Title:                      HOLSTER FOR SUPPORTING AND CHARGING THE WIRELESS  
                                 HEADSET OF HANDHELD DEVICES  
Group:                     2617  
Examiner:                MEHRPOUR, Naghmeh  
Attorney Ref.:           PAT 53955-2 US

February 25, 2008

**MAIL STOP - AF**

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia  
22314-1450  
U.S.A.

Dear Sir:

**SUBMISSION AFTER FINAL ACTION**

The undersigned wishes to thank Examiner Mehrpour for her time in discussing the Final Office Action issued December 13, 2007 in relation to the above-noted application. In our telephone conversation of February 21, 2008, the undersigned explained that it is believed that there was an inadvertent error in this Office Action. More particularly, in the Response to Arguments, it appears that the comments are repeated from a previous Office Action and do not address the Applicant's arguments made in the response dated November 21, 2007. The Examiner requested that the undersigned make a paper submission explaining the facts and requesting that a corrected Action be issued.

As indicated, it is believed that the Final Action issued December 13, 2007 included an error in responding to Applicant's Arguments made in the response dated November 21, 2007.

For example, it is stated "In response to the applicant's argument that "Christal and Kim fails to teach a mating structure for releasably retaining the peripheral device in direct electrical contact with the mobile device when retained in the sleeve so as to permit the mobile to

charge a battery in the peripheral and the features of the present application (such as direct physical contact) does not thought by the references” and a response is provided beginning at page 11 of the Final Action. This section, as quoted, is not found anywhere in applicant’s response of November 21, 2007, or in Applicant’s response dated July 5, 2007, however.

In another example it is stated “In response to applicant’s argument that there is no suggestion to combine the references...” and a response is provided at page 12 of the Final Action. Applicant, however, did not present the argument referred to by the Examiner in Applicant’s response of November 21, 2007 or in Applicant's response dated July 5, 2007.

It is believed that the response provided is not responsive to Applicant’s clarifying amendments and arguments made in an effort to advance prosecution.

The Applicant respectfully requests the Examiner's reconsideration and, as discussed, issuance of a corrected Office Action, if the Examiner deems it necessary.

Respectfully submitted,

**Robert J. LOWLES**

Borden Ladner Gervais LLP  
1200 Waterfront Centre  
200 Burrard Street, P.O. Box 48600  
Vancouver, British Columbia V7X 1T2  
CANADA

Tel: (604) 687-5744  
Fax: (778) 329-0752  
E-mail: [ipmailvancouver@blgcanada.com](mailto:ipmailvancouver@blgcanada.com)

GDK

By: /Geoffrey de Kleine/  
**Geoffrey de Kleine**  
**Reg. No. 50,216**